
HOUSE BILL No. 1091

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-1-11.8.

Synopsis: Sale of tobacco through self-service displays. Makes it a Class C infraction for the owner of a retail establishment to sell or distribute: (1) chewing tobacco; (2) cigars, cigarettes, and snuff that contain tobacco; and (3) pipe tobacco; through a self-service display other than a coin operated machine. (The current law prohibits only the sale or distribution of cigarettes through the self-service display.)

Effective: July 1, 2009.

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January 7, 2009, read first time and referred to Committee on Public Policy.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1091

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-46-1-11.8, AS ADDED BY P.L.37-2007,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 11.8. (a) As used in this section, "self-service
4 display" means a display that contains ~~cigarettes~~ **tobacco** in an area
5 where a customer:
6 (1) is permitted; and
7 (2) has access to the ~~cigarettes~~ **tobacco** without assistance from
8 a sales person.
9 (b) This section does not apply to a self-service display located in
10 a retail establishment that:
11 (1) has a primary purpose to sell ~~cigarettes~~ **tobacco**; and
12 (2) prohibits entry by persons who are less than eighteen (18)
13 years of age.
14 (c) The owner of a retail establishment that sells or distributes
15 ~~cigarettes~~ **tobacco** through a self-service display, other than a coin
16 operated machine operated under IC 35-46-1-11 or IC 35-46-1-11.5,
17 commits a Class C infraction.

2009

IN 1091—LS 6534/DI 69+



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- 1 (d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under
- 2 this section must be deposited in the Richard D. Doyle youth tobacco
- 3 education and enforcement fund (IC 7.1-6-2-6).

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